

LANE AND COLE HIS WITNESSES

Both the Committeemen
Testify to Efficiency
of Dr. Foster.

HIS FRIENDS VERY HAPPY LAST NIGHT

According to Colonel Lawless's
View, One Charge Is Practi-
cally Withdrawn—Hot
Passes Between Mr.
Hamilton and
Col. Lawless.

(Special From a Staff Correspondent.)
WILLIAMSBURG, VA., January 15.—
Indications are that the second inquiry
into the conduct of affairs at the Eastern
State Hospital will be concluded by
Thursday night, Mr. Hutton having fin-
ished his case for the board, and Colonel
Lawless having commenced the taking
of testimony for Dr. Foster. Three ses-
sions were held, though the one to-night
was brief.

The Foster people are happy because
they say they punctured the armor of
the board by forcing the withdrawal of
one of the charges against the superin-
tendent. The majority of the board on
the other hand contend that the item
was not a charge, and that therefore
there is no victory.

In the notice to Dr. Foster formulated
by the special committee, it is set out
as one of the complaints against the man-
agement that a landscape gardener is
employed at \$10 per month, and that he
attends only to the grounds. Colonel
Lawless established by members of the
board that the gardener was chosen at a
meeting in Richmond, at which Dr. Foster
was not present, and that he could not
be held responsible for the appointment.

Messrs. Osborne, Robinson and Tred-
way, who prepared the charges, all arose
and said this was not intended as a
charge against Dr. Foster, and Colonel
Lawless dropped this line of questioning,
apparently delighted at the admission.
There was happiness in the Foster camp
to-night at what the superintendent's
friends call a "breakdown" on the part
of the board.

Call Committeemen to
Testify for Dr. Foster.

The proceedings to-night were alto-
gether unique. Colonel Lawless put on
only three witnesses. They were Colonel
Lane and Messrs. Bland and Cole, all
members of the board, and the board
and jurors in the case. It was like calling
witnesses from the jury-box to testify
before themselves.

They all spoke well of the Foster ad-
ministration, and Colonel Lawless often
called the attention of Messrs. Lane and
Cole to their favorable testimony before
the legislative committee, and they said
would stand by every word of it.

Colonel Lawless announced to-night
that among the witnesses he had sum-
moned were doctors Edward McGuire and
R. S. Bryan, of Richmond; Dr. O. C.
Brink, the physician chosen by the board
for superintendent of the hospital, and
Dr. W. R. Aylett, of Newport News.

Long and weary were the two day ses-
sions of the board, except for the relief
that came now and then with the testi-
mony of the witnesses, and the board
and jurors arising from the forms as
to filing of papers and the admis-
sibility of testimony.

Colonel Lawless is fighting for every
point in sight, and is making exceptions
at every turn of the way. He objected
to as many as twenty questions, and the
board usually overruled him. Messrs. Bland and Turk pretty
generally voting "No." To what other tri-
bunal the Norfolk lawyer expects to
carry the case in the event of an adverse
decision cannot be learned, but his whole
course here indicates that he expects
to continue the battle somewhere. While
both the day sessions were given to the
examination of witnesses on behalf of the
board by Mr. Hutton, who announced
at 6 o'clock that he had concluded, the
proceedings were opened with the pre-
sentation of a bill of exceptions by Col-
onel Lawless in the action of the board
in overlooking his protest last night. He
wanted this paper made a part of the
record, but Mr. Hutton objected, and the
board took the question under advisement.

Colonel Lawless followed with a de-
murrer to the sufficiency of the charges
against his client and a lengthy answer
to the board notice.

These having been submitted, Mr. Hun-
ton took Dr. Foster's testimony before the
investigating committee, and reading
from it frequently, introduced numerous
witnesses to testify to the matters re-
ferred to therein.

Henderson Good

Witness for Foster.

Doctors Henderson and Southall were
called and recalled many times during
the day. The former was a splendid wit-
ness. The latter had not recovered from
the references made to him by the board
in removing him, and as a result he and
Mr. Hutton had a number of sharp colloquies.

Dr. Southall also took several shots
at the Central Hospital, and these tended
to arouse Mr. Gilliam, of the board, and
they indulged in some spiky cross-firing.
The steward and many of the attendants
and attaches testified at the instance of
Mr. Hutton.

Sharp passages took place at the mor-
ning session between Mr. Hutton and Col-
onel Turk. The latter was making some
inquiry concerning the status of cer-
tain papers offered by Colonel Lawless, and
as to the admissibility of evidence, when
Mr. Hutton told him he had better ask
these questions of Colonel Lawless, as
perhaps he might be prepared to answer.
There is no contention of the fact that
there is a distinct division in the
board, Colonel Turk and Mr. Bland dis-
solving with the majority on nearly every
contested matter. During the course of
the inquiry as to the use of straight-
jackets, one of those contending gar-
ments was brought in and shown to the
board. Mr. Hutton wanted a practical
demonstration of its use, but he could
not find a willing subject; so it was sim-
ply shown to the members.

Dr. Foster was in the room during

BOARD AMENDS NEW SALOON LAW

It Permits Bars To Keep
Open Until 2 A. M. Un-
til December 1st.

ALDERMAN ADAMS ATTACKS DABNEY

Declares That Latter Apparently
Took Advantage of Friends
of Umlauf Measure to
Slip in Amendment
While Many Were
Absent.

The final half-hour of the Board of
Aldermen's monthly meeting last night
was of more importance than the re-
maining three and a half or four hours
of the session. Although the attendance
of members was large at the opening of
the session, it had dwindled to fifteen
members when, at about fifteen minutes
past midnight Mr. Dabney called up his
ordinance designed to permit keepers of
hotels to sell liquors until 2 A. M. daily,
except Sunday, from February 1st to
December 1st, and abrogating the Umlauf
ordinance to that extent.

In the course of a spirited protest
against a charge by Mr. Adams, that
advantage had been taken of the friends
of the measure in bringing it up after
they had left and without their knowl-
edge, the Alderman asserted that he
had counted noses, and that the Board
would have passed the amendment ordi-
nary even with the entire membership
present.

He called the names of Messrs. Grundy
and Gunst, who had gone home, and as-
serted that both would have voted for
the ordinance. Mr. Adams made his protest
against action on the matter so late,
and after several had gone, and stated
later that it looked like advantage had
been taken of the absence of many mem-
bers to rush the ordinance through.

Dabney Protests.

Mr. Turpin charged that while the or-
dinance ostensibly affected only the hot-
els, it would apply to every bar in Rich-
mond, and Mr. Dabney admitted that
this was so.

Mr. Dabney made an impassioned protest
against Mr. Adams's charge of bad
faith and taking snap judgment, and an-
nounced that he would join Mr. Adams
in moving a reconsideration at the next
meeting of the Board. He vehemently
denied and indignantly repelled the im-
putation or the charge that he had taken
any unfair advantage, and declared that
it was an insult to the gentlemen who had
voted with him to so charge. Then it
was that Mr. Adams amended his state-
ment so as to say that it looked like
advantage had been taken, but even this
was little more satisfactory to Mr. Dab-
ney, who resented the insinuation.

Here is the vote to suspend the opera-
tion of the Umlauf ordinance for ten
months, so as to permit liquor to be
sold until 2 A. M.:

Ayes—Messrs. Bennett, Burton, Dabney,
Denoloe, Messinger, Reynolds, Satterfield,
Seay and Whitte—6.

Noes—Messrs. Adams, Ellett, Gilman,
Larus, Wood and Turpin—6.

Before the vote was announced, how-
ever, Mr. Adams changed from aye to
no in order to make a reconsideration.

Owing to the small attendance several
important matters before the Board were
not called up last night. The Aldermen
passed the various ordinances recently
passed by the Common Council relating
to annexation, the bond issue therefor,
the extension of the ward lines and the
application to the new territory of the
city tax rate.

Despite the protest of Mr. Turpin, who
made a powerful argument against the
action taken, the Board passed the or-
dinance increasing the salaries of the
four city judges to \$4,000.

Session in Detail.

After the usual opening preliminaries,
the Board took up the regular routine of
matters reported from the committees.
After disposing of those by concurrence
without objection, the Board cleared the
deck for the more important questions
arising.

When the Mills ordinance, providing
for the creating of a joint standing com-
mittee to recommend improvements for
the annexed territory, came up for con-
currence in the action of the Common
Council, the first discussion of the even-
ing ensued.

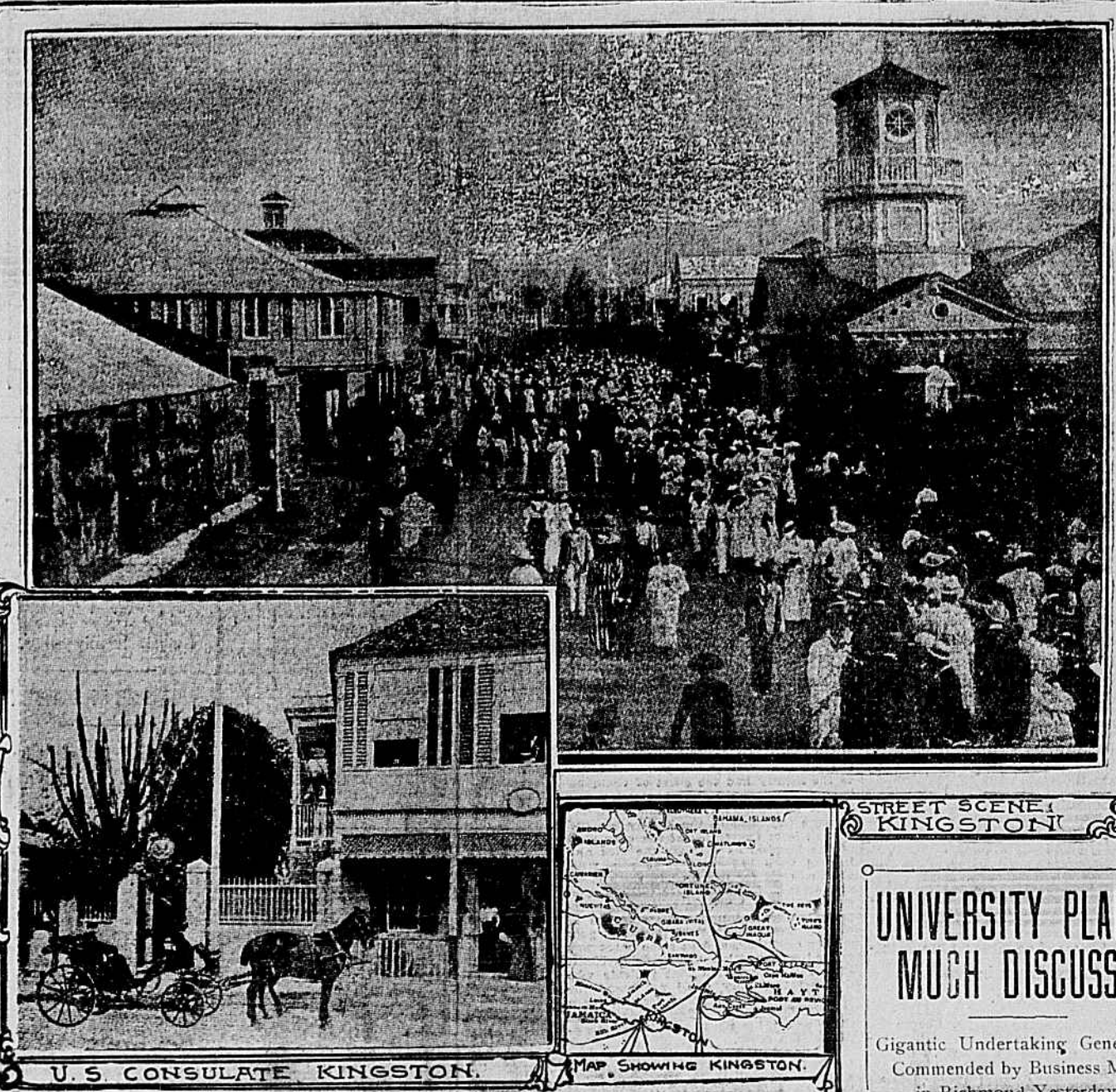
Mr. Dabney moved to strike out three
sections of the Mills ordinance and to
insert in lieu thereof three sections sub-
mitted by himself, as follows:

That there shall be an additional
standing committee, to consist of three
members of the Board and five mem-
bers from the Common Council, to be
known as "Committee on Appropriation
of Expenditures in Annexed Territory,"
who shall be charged with the duty of
ascertaining and reporting to the City
Council what public improvements should
be made in the annexed territory during
each fiscal year, to be paid for out of the
sum set apart for public improvements in
said territory, and shall also ascertain
and report an appropriation of said sum
among the several departments of the
city government—that is to say, what
should be expended by the city upon
streets, sewers, lights, water and other
public improvements in said territory during
the succeeding fiscal year, exclusive of
expenditures on parks and cemeteries, in
conformity with the act of the General
Assembly, approved March 10, 1904, and
the order of the Circuit Court, etc.

The said committee shall so make
and recommend such appropriation that
the said sums may be equitably ex-
pended in the annexed territory, having
due regard to the needs of the respective
localities for public improvements and
the early development of such territory.

That the first appropriation under
this ordinance shall be made to the
Common Council as soon as practicable
after the approval of this ordinance,
and thereafter until the whole sum shall
have been expended, which has been set
aside for public improvements in said
territory, shall be reported to the Common
Council at its January meeting, and the
Council shall thereupon, by ordinance, de-

SCENES IN TOWN OF KINGSTON, DESTROYED BY EARTHQUAKE



JURY INDICTS FAIRBANKS'S SON

Charged With Perjury in Making
Oath for Marriage
License.

STUBENSVILLE, O., January 15.—A
senatorial session was held here to-day by
the grand jury returning an indictment for
perjury against F. C. Fairbanks, son of
Vice-President Fairbanks, in swearing
relating to his marriage to Miss Scott,
of Pittsburgh. The charge is that Mr.
Fairbanks went to Steubenville and dis-
guised himself as a workman, and said
that he was a workman of Adams county
and that Miss Scott was a resident of the
county.

On this statement he secured a mar-
riage license and they were married, and
left the town immediately afterward.
The prosecutor says that the papers
will be served upon Mr. Fairbanks as
soon as he can be located.

Fairbanks Denies.

SPRINGFIELD, O., January 15.—F. C.
Fairbanks said to-night:

"I took no oath whatever in the Probate
Court at Steubenville. I say this
emphatically, as my memory in regard
to this is distinct. I answered their
questions, but there was no affidavit
and no oath administered."

PAIR WENT MANY MILES TO BE WED

From New York City to North
Carolina Is Record Made
by Couple.

From New York City to North Carolina
to wed is the record made by Mr. Howard
K. Higbee and Miss Margaret M. Cole,
his eighteen-year-old bride, who, after
unsuccessfully attempting to secure li-
cense here, succeeded in being made men
and wife in Halifax, N. C., on Monday
evening.

The young couple reached Richmond
Monday and immediately sought the
clerk's office of the Hustings Court and
applied for license to wed. The applica-
tion for the license was made out and
signed by the young woman and by the
clerk, but it developed at this point that
there was no one there to establish the
fact that her parents were dead or that
she had no legal guardian, and so Judge
Witt, to whom the matter was referred,
declined to instruct the clerk to issue the
license. It is reported that the young
lady's parents are both living in New
York City, and she admitted that she
was only eighteen years of age. Her hus-
band is twenty-two.

Thwarted in their plan to wed here,
the couple visited the Capital on Monday,
and there soon made their story known.
It appears that the young lady was visit-
ing in Washington and that Mr. Higbee
came on and joined her there, and the
two took a train for this city, owing to
the fact that the bride had relatives
in Washington and was afraid to risk
applying for the license there. They
needed some one to appear and testify
to the statements required as a condi-
tion of the issue of a license to a minor
without consent of parent or guardian.

Yesterday Mr. and Mrs. Higbee reached
the city and informed sympathetic ac-
quaintances here of their marriage at a
hotel in Halifax. They left on a later
train for Washington and New York to
seek parental forgiveness, and it is
hoped, to live happily ever afterwards,
as the fairy tales put it.

COL. R. E. LEE NOT A CANDIDATE

Says His Resignation From the
Legislature Does Not Mean
He Will Run for Congress.

(From Our Regular Correspondent.)
WASHINGTON, D. C., January 15.—
"No, I am not a candidate for the
Democratic nomination to Congress from
the Eighth District," said Colonel R. E.
Lee, Jr., of Fairfax, in this city to-
day. "My resignation from the Virginia
House of Delegates simply meant that
after six years of service I had reached
the conclusion that it was time for some-
body else to represent the county in the
Legislature."

"But you may be a candidate for Con-
gress?" was the inquiring suggestion.

"A man can't tell what he may do at
some future time," was the reply, and
Colonel Lee would not discuss the mat-
ter any further.

There is considerable likelihood that
Representative Rixey will be the candi-
date and the representative another
term, after the expiration of the one
which begins on the 4th of March, to
which he was elected last fall. Mr.
Rixey's chronic throat trouble, which
has afflicted him for years, has pre-
vented his being in his seat in the
House during the present session, but
his physicians assure him that with rest
and treatment he will recover and be
able to be out in the course of time.

He is now at the home of his brother,
Surgeon-General Rixey, of the navy, in
this city, and is said to be improving.

Many Candidates.

It is probable that all, or nearly all,
the candidates whose names have been
mentioned, will not undertake the race
should Mr. Rixey decide not to retire. However,
one or two of them, it is said, will make
the race against Mr. Rixey. The con-
versation did not go so far with Colonel
Lee as to indicate whether he would even
be a candidate in case Mr. Rixey should
retire, and, of course, it was not de-
veloped whether he would be a candi-
date in case Mr. Rixey should not retire.

The names of several men have been
mentioned in connection with the seat
from the Eighth District, including those
of C. C. Carlyn, of Alexandria; Judge
Nicol, of Prince William; Judge of Mr.
Circuit Court, Judge C. V. White, of
Fairfax; Hon. R. Walton Moore, of
Fairfax; Hon. John F. Ryan, of Loudoun;
Hon. J. B. Thornton, of Manassas; Col-
onel George Shackelford, of Orange;
James C. Hoce, of Loudoun; Colonel Rob-
ert N. Harper, of Loudoun; Captain Joseph
B. Willard, of Fairfax, and a number
of others. Several of the gentlemen
named have said explicitly to The Times-
Dispatch correspondent that they would
not be candidates. But Hon. John F.
Ryan, Judge Nicol, Mr. Carlyn and Col-
onel Shackelford are not of the number.

Captain Willard was seen last night, and
said that there was absolutely no founda-
tion for the statement that there was any
probability of his running for Congress.

UNIVERSITY PLAN MUCH DISCUSSED

Gigantic Undertaking Generally
Commended by Business Men
in Richmond Yesterday.

WHAT IT MEANS TO THE CITY

Suggestion of What Movement
May Develop Into—General
Board Interested.

The plan for establishing the Univer-
sity of Richmond was the topic of con-
versation in all parts of the city yester-
day and last night. Large minds, capa-
ble of grasping large ideas and seeing
the possibilities in so great an under-
taking, were disposed to heartily favor
the plan as proposed; with many others
the scheme will have to be absorbed in
all of its gigantic possibilities as it
gradually unfolds.

Many of the most prominent citizens of
Richmond were gathered at the Y. M.
C. A. luncheon in the afternoon, and the
university was the topic of conversa-
tion, a number of suggestions being
made as to its feasibility and some pos-
sible objections being fully discussed.

The Plan Proposed.

The whole matter is as yet entirely
tentative. At the meeting on Monday,
a committee, of which Mr. Joseph Bryan
is chairman and consisting of Dr. S. C.
Mitchell, of Richmond College; Dr. R. E.
Blackwell, of Randolph-Macon; Captain
W. Gordon McCabe, Mr. John Garland
Pollard and Mr. John C. Freeman, were
appointed to consider the plan and scope
of the proposed institution.

It should be distinctly understood that
the great universities of this country and
abroad, with a view of securing copies
of their charters and plan of organizing
the various schools that are grouped
into a university.

The far-reaching importance of the
movement was shown at the meeting
Monday, when one of the gentlemen pre-
sented asked for the appointment of a se-
cretary, saying: "I wish some one to take
down the names of those present this
afternoon. I wish it to be recorded for
all time that 'I was here.'"

It should be distinctly understood that
what is proposed is not a university, in
the American acceptance of that term,
but rather a city of colleges, somewhat
after the idea of Oxford or Cambridge.
The real genius of the plan proposed
consists in the fact that each individual in-
stitution maintains its separate identity,
without a change of one iota in its char-
ter, denominational ownership and con-
trol; will be preserved in its course of
study, spirit, faculty and organization,
and yet each of the separate colleges will
have at its disposal a central plant of
common utilities, which is furnished by
the citizens of Richmond. Each college
will have at the central plant exactly the
same, relating to that it now bears to the
university system. The case of Union
Theological Seminary is even more strik-
ing, in that it has no denominational con-
trol, and so far sustained them. The
proposers of the college city idea claim
that the reverse will be true. Any one
of the religious colleges can become even
more strictly denominational, should it
so choose, without marring in any way
the integrity of the University of Rich-
mond.

Richmond College, which has been
largely sustained by the Baptist Church,
might engraft into its charter a provi-
sion that every tutor should be a member
of the Baptist Church, if the denomina-
tional plan is followed, without this charter
provision, being any embarrassment to the
university corporation. The case of Union
Theological Seminary is even more strik-
ing, in that it has no denominational con-
trol, and so far sustained them.

HUNDRED KILLED BY EARTHQUAKE

Kingston, Jamaica, On
Fire and Many Build-
ings Destroyed.

COMMUNICATIONS ARE ALL CUT OFF

Principal Hotel and Barracks in
Ruins — Forty Soldiers and
Many Prominent Men
Killed—Catastrophe
Occurred on
Monday.

HALIFAX, N. S., January 15.—
D. Budge, the manager of the
Halifax and Bermuda Cable Com-
pany, received a cable to-night
from William Sullivan, the man-
ager of the Bermuda Cable Com-
pany at Kingston. The cable is
dated Holland Bay, and reads:

"Nearly whole of city destroyed
by earthquake and fire; staff all
safe, with the exception of one
member, who is seriously injured."

Kingston, the picturesque capital of the
Island of Jamaica, has been devastated by
a violent earthquake.

Details of the disaster are lacking, as
direct communication with the island
city has been cut off. The land lines
had been reconstructed to within five
miles of Kingston Tuesday evening, and
from many reports received through
cable channels as were open it has been
learned that many of the most important
buildings have been destroyed and that
there has been serious loss of life.

So far as the reports indicate, the fac-
ilities number less than 100, though the
hospitals are filled with injured and the
list of victims may be materially in-
creased.

Kingston and the other points of in-
terest of the island are at this season
of the year thronged with tourists from
both America and England, and the
greatest apprehension is felt for the
safety of many persons who had recent-
ly arrived at the Jamaican resorts.

The most distinctive of these were
members of a party of English states-
men, agricultural experts and men of
affairs, who, under the leadership of Sir
Alfred Jones, had arrived in Kingston
within the past few days to attend an
agricultural conference here.

The first great shock was felt about
3:30 o'clock Monday afternoon, and as in
the San Francisco disaster, flames im-
mediately sprang out of the wreckage.

"The earthquake was followed by a fire
burning, although it was believed to be
under control.

The Myrtle Bank Hotel, the principal
hotel at Kingston, which probably shel-
tered the great bulk of visitors on the
island, is reported destroyed. The great
military hospital was burned and forty
soldiers are reported dead.

Sir James Ferguson is said to have
been instantly killed, but according to
London reports, no other Englishman or
Canadian is believed to be missing.

NO DAMAGE AT HOLLAND BAY.

NEW YORK, January 15.—The follow-
ing cablegram was received at the office
of the Hamburg-American Line here to-
night:

Holland Bay, Jamaica, January 15.—
5:30 P. M.—Slight earthquake here yester-
day. No damage; also no damage at Port
Antonio, or to the Titfield Hotel. Advise
our people."

U. S. Fleet for Kingston.

WASHINGTON, D. C., January 15.—
Secretary of the Navy Michael to-night
sent a cablegram to Admiral Evans, in
command of the United States fleet off
Guantanamo, Cuba, requesting him to in-
vestigate the extent of the earthquake
disaster in Jamaica, and to report to the
department. Admiral Evans is author-
ized, if necessary, to proceed to King-
ston, which is a twelve hours' trip
from Guantanamo.

GREAT LOSS OF LIFE.

Cables All Interrupted and Land
Lines Are Down.

ST. THOMAS, D. W. I., January 15.—
The cable station at Holland Bay, Ja-
maica, reports that a very severe earth-
quake occurred there at 3:30 Monday af-
ternoon. The cable office was badly
damaged and all the land lines to King-
ston were instantly interrupted. Com-
munication by the land lines was re-
stored this afternoon to within five miles
of Kingston. That city reports a ter-
rible earthquake on Monday afternoon.
The city was destroyed and there was
much loss of life. The shocks continue.
Everybody is camping out and much de-
struction is reported. The case of Union
Theological Seminary is even more strik-
ing, in that it has no denominational con-
trol, and so far sustained them.

LONDON GETS NEWS FROM NEW YORK

Distinguished Party of English-
men Now on the
Island.

LONDON, January 15.—The only news
of the earthquake at Kingston, Jamaica,
thus far received in London is contained
in a brief dispatch from New York.

In addition to a great number of Eng-
lishmen in business at Kingston, there is
at present a party of distinguished per-
sons, headed by Sir Alfred Jones, on a
visit there to attend an agricultural con-

The South's Great Wealth

In the Southern States during 1906:
There were dug from the mines 84,000,000 tons of coal;
There was produced \$700,000,000 worth of merchandise
for export trade; and
There was added \$2,650,000,000 to the value of its REAL
WEALTH.

No section of the South has been more prosperous than
Richmond and Virginia. To reach the people enjoying this
great prosperity, make your wants known through

The Times-Dispatch.
It is Supreme in Virginia.

W. E. BORAH TO SUCCEED SENATOR DUBOIS

BOISE, IDAHO, January 15.—The Idaho
Legislature to-night elected William E.
Borah, (Republican) United States Sena-
tor, to succeed Senator DuBois.

(Continued on Twelfth Page.)

(Continued on Third Page.)

(Continued on Seventh Page.)